

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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JOSEPH JACKSON,

Plaintiff,

v.

M. STACK,

Defendant.

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**DECISION AND ORDER**

16-CV-1041-A

This *pro se* civil rights case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1) for the conduct of pretrial proceedings. On July 9, 2019, Magistrate Judge Scott filed a Report and Recommendation (Dkt. No. 46), recommending that defendant Stack's motion for summary judgment (Dkt. No. 39) pursuant to Fed. R. Civ. P. 56 be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

**ORDERED**, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in the Report and Recommendation, defendant Stack's motion for summary judgment (Dkt. No. 39) is granted.

The Clerk shall enter Judgment in favor of M. Stack and close the case.

**IT IS SO ORDERED.**

*/s/ Richard J. Arcara*  
HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT COURT

Dated: November 4, 2019